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**UNITED STATE DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MOISES SERRANO, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

OPEN ROAD DELIVERY
HOLDINGS, INC. d/b/a AMUSE,
and DOES 1 through 10, inclusive,

Defendant.

Case No. 2:22-cv-07245-SB-AS

CLASS ACTION

**DECLARATION OF TODD M.
FRIEDMAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES AND COSTS**

Assigned to the Honorable Stanley
Blumenfeld, Jr.

DATE: DECEMBER 1, 2023
TIME: 8:30 A.M.
COURTROOM: 6C

[Filed and Served Concurrently with
Motion for Attorney's Fees and Costs
and Incentive Award; Declaration of
Moises Serrano]

DECLARATION OF TODD M. FRIEDMAN

I, TODD M. FRIEDMAN, declare:

1. I am one of the attorneys for the plaintiff in this action, Moises Serrano (“Mr. Serrano” or “Plaintiff”). I am an attorney licensed to practice law in the State of California since 2001, the State of Illinois since 2002, and the State of Pennsylvania since 2011. I have been continuously licensed in California since 2001, Illinois since 2002, and Pennsylvania since 2011, and am in good standing with the California State Bar, Illinois State Bar, and Pennsylvania State Bar. I have litigated cases in both state and federal courts in California and Illinois. I am also admitted in every Federal District in California and have handled federal litigation in the Federal Districts of California.
2. The declaration is based upon my personal knowledge, except where expressly noted otherwise.
3. I submit this declaration in support of the Plaintiff’s Motion for Attorneys’ Fees and Costs in the action against defendant, Open Road Delivery Holdings, Inc. (“Defendant”).
4. Plaintiff seeks the Court’s approval of the following to be paid from \$400,000 Settlement Fund:
 - i. Attorneys’ fees in the amount of \$100,000, representing 25% of the \$400,000 Settlement Fund;
 - ii. Costs of litigation incurred by Class Counsel in the amount of \$9,155.50 as of September 20, 2023; and
 - iii. An Incentive Award to Plaintiff in the amount of \$10,000.
5. As part of the Settlement Agreement, previously filed as Exhibit A to the Declaration of Todd M. Friedman In Support of Preliminary Approval of Class Action Settlement and Certification of Settlement Class, Dkt. No.48-1, Plaintiff and Defendant (hereinafter the “Parties”), agreed that Defendant

1 would pay the following from the Settlement Fund: (i) the settlement
2 administration and notice costs, currently estimated by P&N not to exceed
3 \$45,000, but not to exceed \$65,000; (ii) attorneys' fees not to exceed
4 \$100,000 (iii) costs of litigation not to exceed \$10,000; (iv) an incentive
5 award of \$10,000 for the named Plaintiff.

6 6. There are approximately 1,772 class members. Class Members will receive
7 a payment proportional to the number of text messages they received relative
8 to the total number of text messages received by the Class as a whole. Class
9 members do not need to submit a claim form to receive payment.

10 7. Assuming the maximum amount is deducted from the Settlement Fund, as
11 described above, the average recovery of the Class is estimated to be \$121.33
12 per Class Member.¹ The costs sought by Class Counsel and the administrator
13 are projected to be lower than the maximum amount allotted, and so the
14 actual projected average recovery per Class Member is estimated to be
15 \$133.09.

16 8. The Settlement Agreement was the result of good faith, arm's length
17 settlement negotiations, including a full-day mediation session before the
18 Honorable Suzanne Segal (Ret.). The Parties engaged in informal discovery.
19 Defendants produced all information, data and documents relating to the
20 dialing platform used, the number of people that opted out of receiving
21 telemarketing communications from Defendant, information and data
22 regarding the identities of Class Members, and information, data and
23 documents regarding Defendant's finances and ability to fund the
24 Settlement Fund. In my opinion, having worked on over 100 TCPA class
25 actions, I strongly believe there was no stone unturned when it came to the

26
27 ¹ This number was arrived at by subtracting the maximum total reduction of the
28 Settlement Fund (\$185,000) from the total Settlement Fund (\$400,000), and dividing
the resulting amount (\$215,000) by the approximately 1,772 class members.

discovery that would have been necessary for my firm to evaluate risk and damages issues. Defendant gave us everything we asked for, so the mediation could be fully informed and productive on both sides.

CLASS COUNSEL'S EXPERIENCE

9. The Law Offices of Todd M. Friedman, P.C. seeks appointment as Class Counsel in this Action. I am informed and believe that Class Counsel are qualified and able to conduct this litigation as a class action.

10. As one of the main plaintiff litigators of consumer rights cases in Southern of California, I have been requested to and have made regular presentations to community organizations regarding debt collection laws and consumer rights.

11. I have extensive experience prosecuting cases related to consumer issues. My firm, The Law Offices of Todd M. Friedman, P.C., in which I am a principal, has litigated over 1000 individual based consumer cases and litigated over 100 consumer class actions. These class actions were litigated in federal courts in California, as well as California State Courts. Approximately 100% percent of my practice concerns consumer litigation in general, with approximately 90% of my class action experience involving consumer protection, and approximately twenty percent of my class action practice involves litigating claims under TCPA.

12. My firm has numerous been approved by courts as adequate class counsel, and is highly experienced in litigating class actions, including obtaining contested class certification in several matters, specifically the following cases:

- a. *Anne Wolf v. Hewlett Packard Company*, Case No. 5:15-cv-01221-TJH-GJS (C.D. Cal.) (class action certified by contested motion on behalf of tens of thousands of class members who purchased printer that was falsely advertised to include Smart Install feature);

- 1 b. *Caldera v. American Medical Collection Association*, Case No. 2:16-
2 cv-00381-CBM-AJW (C.D. Cal.) (TCPA class action certified by
3 contested motion);
- 4 c. *Alfred Zaklit, et al. v. Nationstar Mortgage LLC*, Case No. 5:15-cv-
5 02190-CAS-KK (C.D. Cal.) Cal. Penal Code § 632.7 class action
6 certified under Rule 23(b)(2) and (b)(3) on behalf of class members
7 whose calls were recorded without knowledge or consent);
- 8 d. *D'Angelo Santana v. Rady Children's Hospital*, Case No. 37-2014-
9 00022411-CU-MT-CTL (San Diego County Superior Court)
10 (Confidentiality of Medical Information Act, Cal. Civ. Code § 56, *et*
11 *seq.*);
- 12 e. *Edward Makaron v. Enagic USA, Inc.*, Case No. 2:15-cv-05145-DDP-
13 E (C.D. Cal.) (TCPA class action certified on behalf of approximately
14 2,000,000 class members under Rule 23(b)(2) and 23(b)(3));
- 15 f. *Rodriguez v. Experian Information Solutions, Inc., et al.*, Case No.
16 2:15-cv-01224-RAJ (W.D. Wash.) (FCRA class action for improper
17 credit pulls; certified under Rule 23);
- 18 g. *Sheena Raffin v. Mediacredit, Inc., et al.*, Case No. 2:15-cv-04912-
19 MWF-PJW (C.D. Cal.) (Cal. Penal Code § 632.7 class action certified
20 by Hon. George H. King Ret. under Rule 23(b)(2) and (b)(3) on behalf
21 of class members whose calls were recorded without knowledge or
22 consent);
- 23 h. *Stemple v. QC Financial Services Group of California, Inc.*, Case No.
24 3:12-cv-01997-CAB-WVG (S.D. Cal.) (certified class achieved by
25 motion, and subsequent class-wide settlement);
- 26 i. *Abdeljalil v. General Electric Capital Corporation*, Case No. 12-CV-
27 02078-IEG-RBB (S.D. Cal.) (certified class achieved by motion, and
28 subsequent class-wide settlement);
- j. *Aleksanian, et al. v. Enrich Financial, Inc.*, Case No. BC698829 (Los

Angeles County Superior Court) (certified class under Credit Repair Organization Act, California Credit Services Act and Federal Credit Repair Organization Act);

k. *Noohi v Johnson & Johnson Consumer, Inc.*, Case No. 2:20-cv-03575-TJH-JEM (Central District Cal.) (false advertising mislabeling class action certified on behalf of purchasers of oil free face moisturizer, alleging product contained oils);

l. *Bazarganfard et. al. v. Club 360 LLC, et. all*, Case No. 2:21-cv-02272-CBM-PLA (EFTA class action on behalf of consumers whose debit cards and bank accounts were debited during COVID for gym fees without authorization).

13. The certification and merits theory in this case was developed primarily by my office over the course of several years, and with a great deal of experience and effort.

14. We are also heavily involved in numerous other TCPA cases that have seen their way up through the courts of appeal and the U.S. Supreme Court. We were lead counsel on the case of *Gallion v United States*, 772 Fed.Appx. 604 (9th Cir. July 8, 2019), the reasoning of which was recently upheld by the Supreme Court in the case of *Barr v. American Association of Political Consultants, Inc.*, 140 S.Ct. 2335 (2020), in which myself and my partner Adrian Bacon assisted with the briefing. We fulfilled a similar role in the *Duguid v. Facebook, Inc.*, 926 F.3d 1146 (9th Cir. 2019) case, which was previously the subject of a SCOTUS Petition for Cert, was since taken up by the Supreme Court. My office drafted an Amicus brief in support of the consumers' position, and also assisting with the brief in chief. We also are lead counsel *Trim v. Reward Zone USA LLC*, No. 22-55517, 2023 WL 5043724 (9th Cir. Aug. 8, 2023) which was recently decided by the Ninth

1 Circuit, and are seeking Supreme Court review of that order. In addition, my
2 firm was class counsel in *McCurley v. Royal Seas Cruises, Inc.*, No. 21-
3 55099, 2022 WL 1012471 (9th Cir. Apr. 5, 2022), where the Ninth Circuit
4 reversed a district court order granting summary judgment to the defendant
5 in a certified class action. Moreover, my partner Adrian Bacon and I have
6 co-authored three comments that my firm submitted to the FCC on behalf of
7 advancing consumer privacy rights. We were also lead counsel in the
8 California Supreme Court case of *Smith v. Loanme*, 11 Cal.5th 183 (2021), a
9 consumer privacy class action in which the California Supreme Court
10 unanimously ruled in our favor.

11 15. In short, we are highly experienced in consumer privacy class action
12 litigation, and our fingerprints are all over this law (the TCPA). Thus, we are
13 in a position to fully evaluate the risk in this case, and make informed
14 settlement decisions on behalf of Class Members.

15 16. Therefore, my experience in litigating class actions and my years in practice
16 allow me to provide outstanding representation to the Settlement Class. I will
17 continue to strive to fairly, responsibly, vigorously and adequately represent
18 the putative class members in this action.

19 17. The Law Offices of Todd M. Friedman has served as plaintiff's counsel in at
20 least the following class actions where a settlement was reached on a class-
21 wide basis and has achieved over \$300,000,000 in class-wide relief for
22 consumers and employees.

- 23 a. *Dancer v. L.A. Times*, BC472154 (L.A. Superior Court)
24 (common fund class-wide settlement of \$3 million to \$4
25 million; final approval granted);
26 b. *Couser v. Comenity Bank*, 3:12-cv-02484-MMA-BGS (S.D.
27 Cal.) (\$8.475 million class-wide settlement achieved; final
28 approval granted);

- c. *Stemple v. QC Financial Services Group of California, Inc.*, 3:12-cv-01997-CAB-WVG (S.D. Cal.) (certified class achieved by motion, and subsequent class-wide settlement of \$1.5 million achieved; final approval granted);
- d. *Couser v. Apria Healthcare, Inc.* 8:13-cv-00035-JVS-RNB (C.D. Cal.) (common fund class-wide settlement of \$400,000 to \$750,000; final approval granted);
- e. *Abdeljalil v. General Electric Capital Corporation*, 12-CV-02078-IEG-RBB (S.D. Cal.) (class-wide settlement with common fund of \$6.125 million achieved; final approval granted);
- f. *Fox v. Asset Acceptance*, 3:13-CV-00922-DMS-BGS (S.D. Cal.) (common fund of \$1 million in class-wide relief achieved; final approval granted);
- g. *Friedman v. LAC Basketball Club, Inc.*, 2:13-cv-00818-CBM-AN (C.D. Cal.) (class-wide settlement achieved; final approval granted);
- h. *Gerich et al. v. Chase Bank USA et al.* Case No 1:12-cv-5510 (N.D. Ill.) (class-wide settlement of \$34 million; final approval granted);
- i. *Than Zaw v Nelnet, Inc.*, Penal Code § 632 class – (Achieved class-wide settlement of \$1,188,110; final approval granted);
- j. *Medeiros v HSBC*, (common fund settlement of \$4.5 million - \$6.5 million achieved; final approval granted);
- k. *Ann Fox v. Spectrum Club Holding Company et al.*, Case No. 2:14-CV-06766-PSG-FFMx (class-wide settlement; final approval granted);
- l. *Sayan Aboudi v. T-Mobile USA, Inc.*, Case No. 3:12-cv-02169-BTM-NLS (class-wide settlement in TCPA case, with common

- 1 fund of \$2.5 million to \$5 million and average per class
2 member payment of \$500; final approval granted);
- 3 m. *Andrew Roseman v. BGASC, LLC, et al.*, Case No. EDCV 15-
4 1100-VAP (SPx) (C.D. Cal.) (class-wide relief achieved; final
5 approval granted);
- 6 n. *Everado Gonzalez v The Scotts Company*, Case No. BC577875,
7 Consolidated with Case No: BC570350 (LASC) (class-wide
8 settlement of \$925,000 in wage and hour class action on behalf
9 of approximately 603 employees achieved; final approval
10 granted);
- 11 o. *Payton v Luxe Valet*, Case No. BC588462 (LASC) (\$2.4
12 million class-wide settlement on behalf of 1,800 employees
13 misclassified as independent contractor; final approval
14 granted);
- 15 p. *Shelby v Two Jinn, Inc.*, Case No. 2:15-cv-03794-AB-GJS
16 (C.D. Cal.) (EFTA class action involving no cognizable actual
17 damages, with company net worth of \$25 million, settled for
18 non-reversionary common fund of \$457,000, despite liability
19 under 15 U.S. Code § 1693m(a) likely being only \$250,000;
20 zero objections; final approval granted);
- 21 q. *Couser v Dish One Satellite*, Case No. 5:15-cv-02218-CBM-
22 DTB (C.D. Cal.) (TCPA class action; final approval granted);
- 23 r. *Couser v Dish One Satellite*, Case No. RIC 1603185 (Riverside
24 S.C.) (Penal Code 632 class action; final approval granted);
- 25 s. *De La Paz v Accurate Courier NCA LLC*, Case No. 16CV00555
26 (Santa Cruz County Superior Court) (PAGA and Labor Code
27 class action; final approval granted);
- 28 t. *Ross v Zurixx LLC*, Case No. 34-2016-00190874 (Sacramento
SC) (UCL, FAL and CLRA class action alleging false

1 advertising for real estate educational courses, non-reversionary
2 common fund settlement for over \$600 per class member; final
3 approval granted);

4 u. *Eubank v Terminix International, Inc.*, Case No. 3:15-cv-
5 00145-WQH-JMA (PAGA settlement reached in wage and
6 hour action on behalf of pest control technicians; final approval
7 granted);

8 v. *Holland v Tenet Healthcare Corporation*, Case No.
9 15CVP0226 (Superior Court of San Luis Obispo County)
10 (PAGA settlement reached in wage and hour action on behalf
11 of nurses; final approval granted);

12 w. *Jonathan Weisberg, v. HD Supply, Inc.*, Case No. 15-cv-08248-
13 FMO (MRWx) (class-wide settlement in TCPA class action,
14 settled for \$1.225 million; final approval granted);

15 x. *Miler v Pacific Auto Wash Partners*, Case No. 30-2015-
16 00813013-CU-OE-CXC (wage and hour class action; final
17 approval granted);

18 y. *Sonia Barrientos v Law Office of Jeffrey H. Jordan*, Case No.
19 2:15-cv-06282-JAK-GJS (FDCPA/RFDCA letter class
20 action, settled on class wide basis; final approval granted);

21 z. *Tahmasian v Midway Rent A Car*, Case No. 30-2015-
22 00813013-CU-OE-CXC (LASC) (PAGA and Labor Code class
23 action; final approval granted);

24 aa. *Craig Cunningham v Lexington Law Firm*, Case No. 1:17-cv-
25 00087-EJF (N.D. UT) (TCPA class action MDL involving
26 solicitation prerecorded voice calls made by a third party,
27 vicarious liability alleged; final approval granted).

28 bb. *Sheena Raffin v Medcredit, Inc.*, et al., Case No. 2:15-cv-
04912-MWF-PJW (C.D. Cal.) (Cal. Penal Code § 632.7 class

1 action certified by Hon. George H. King Ret under Rule
2 23(b)(2) and (b)(3) by contested motion on behalf of 11,000
3 class members whose calls were recorded without knowledge
4 or consent, settled for \$5 million; final approval granted);

5 cc. *Fernandez v Reliance Home Services, Inc.* Case No. BC607572
6 *Los Angeles Superior Court* (wage and hour plus PAGA class
7 action; final approval granted);

8 dd. *Anne Wolf v Hewlett Packard Company*, Case No. 5:15-cv-
9 01221-TJH-GJS (C.D. Cal.) (CLRA class action certified by
10 contested motion on behalf of tens of thousands of consumers
11 who purchased printer that was falsely advertised to include
12 Smart Install feature, settled on a wider multi-state, multi-
13 product basis; final approval granted);

14 ee. *Jaylinda Girardot et al v. Bail Hotline Bail Bonds, Inc.*, Case
15 No. BC700131 Los Angeles County Superior Court (wage and
16 hour plus PAGA class action; final approval granted);

17 ff. *Ryoo Dental, Inc. v OCO Biomedical, Inc.*, Case No. 8:16-cv-
18 01626-DOC-KES (TCPA fax blast class action, settled on
19 class-wide basis; final approval granted);

20 gg. *Wondra Curtis v The Anthem Companies, Inc.*, Case No. 8:16-
21 cv-01654-DOC-JCG (wage and hour class action for off the
22 clock work, settled on class-wide basis; final approval granted);

23 hh. *Weinberg v Clariant, Inc.* Case No. 56-2017-00494914-CU-
24 NP-VTA Ventura County Superior Court (Rosenthal Fair Debt
25 Collection Practices Act class action settled on behalf of 1,830
26 class members for privacy infringements through clear
27 envelope debt collection letters; final approval granted);

28 ii. *Aliav v Sunset Eats, LLC*, Case No. BC655401 Los Angeles
Superior Court (false advertising class action on behalf of

approximately 10,000 consumers, settled on class-wide basis;
final approval granted);

jj. *Alfred Zaklit, et al. v. Nationstar Mortgage LLC*, Case No. 5:15-cv-02190-CAS-KK (C.D. Cal.) (Cal. Penal Code § 632.7 class action certified by contested motion under Rule 23(b)(2) and (b)(3) on behalf of over 40,000 class members whose calls were recorded without knowledge or consent; final approval granted);

kk. *Mark Silva v. Olson and Co. Steel*, Case No. 17CV001045 (Contra Costa County Superior Court) (wage and hour class action settled on behalf of 563 class members, final approval granted);

ll. *Cohen v. Coca-Cola Refreshments, USA, Inc.*, Case No. 2:19-cv-04083-JAK (PLAx) (C.D. Cal.) (wage and hour class action settlement on behalf of trucking employees; preliminary approval granted);

mm. *Manopla v. Home Depot USA, Inc.* Case No. 15-1120 (D. N.J.) (TCPA class action; final approval granted);

nn. *Cawthorne v Rush Truck Centers of California, Inc.* Case No. 5:17-cv-01541-JGB-SP (wage and hour class action on behalf of 560 employees; final approval granted);

oo. *Lizama v Medical Data Systems, Inc.* Case No. 34-2017-00210986-CU-NP-GDS (Sacramento County Superior Court) (Penal Code 632.7 class action alleging illegal call recording, settled for \$2.2 million on behalf of over 30,000 consumers, final approval granted);

pp. *Romano v SCI, Inc.* Case No. 2:17-cv-03537-ODW-JEM (wage and hour class action for independent contractor

1 misclassification, settled for \$2.5 million on behalf of 230
2 employees, final approval granted);
3 qq. *Edward Makaron v. Enagic USA, Inc.*, Case No. 2:15-cv-
4 05145-DDP-E (C.D. Cal.) (TCPA class action certified on
5 behalf of approximately 2,000,000 class members under Rule
6 23(b)(2) and 23(b)(3), subsequently settled on a Rule 23(b)(2)
7 and 23(b)(3) basis, final approval granted);
8 rr. *Walsh v Fry's Electronics, Inc.* Case No. MSC18-01681
9 (Contra Costa County Superior Court) (Gift Card Act, CLRA,
10 UCL, FAL class action settled for class-wide public injunctive
11 relief; final approval granted);
12 ss. *In RE HP Firmware Update Litigation*, Case No. 5:16-cv-
13 05820-EJD (N.D. Cal.) (co-lead class counsel in consolidated
14 Unfair Competition class action alleging HP pushed a firmware
15 update on consumers' printers that blocked their ability to use
16 third party ink cartridges, preliminary approval granted; final
17 approval granted);
18 tt. *Nishimoto v T&S Business Corporation*, Case No. 34-2017-
19 00211426 (Sacramento County Superior Court) (wage and hour
20 and PAGA class action on behalf of janitorial workers; final
21 approval granted);
22 uu. *Rodriguez v. Experian Information Solutions, Inc. et. al.* Case
23 No. 2:15-cv-01224-RAJ (W.D. Wash.) (FCRA class action for
24 improper credit pulls; certified under Rule 23 by contested
25 motion, and settled on class-wide basis, final approval granted);
26 vv. *Ahmed v HSBC Bank USA*, Case No. 5:15-cv-02057-FMO
27 (SPx) (C.D. Cal.) (TCPA class; final approval granted);
28

1 ww. *Garcia et. al. v. HMS Host, Inc.*, Case Jo. 17-cv-03069-
2 RS (N.D. Cal.) (wage and hour class action, final approval
3 granted);

4 xx. *Aiken v. Malcolm Cisneros, A Law Corporation*, Case No. 5:17-
5 cv-02462-JLS-SP (C.D. Cal.) (Fair Debt Collection Practices
6 Act class action, settled on class wide basis, preliminary
7 approval granted);

8 yy. *Bonilla, et al. v. Windsor Fashion, LLC*, Case No.
9 CIVDS1723088 (wage and hour class action settled on behalf
10 of over 5,000 employees, final approval granted);

11 zz. *Medina v. Enhanced Recovery Company, LLC*, Case No. 2:15-
12 cv-14342-JEM/MAYNARD (S.D. Fla.) (TCPA class
13 settlement common fund of \$1.45M, final approval granted);

14 aaa. *Pena v. John C Heath Attorney at Law, PLLC*, Case No.
15 1:18-cv-24407-UU (S.D. FL.) (consolidated TCPA class
16 action, final approval granted);

17 bbb. *Kim v. Tinder, Inc.*, Case No. 2:18-cv-03093-JFW-AS
18 (C.D. Cal.) (Unruh Act class settlement on behalf of 240,000
19 consumers for \$5.25 million common fund plus approximately
20 \$30 million in automatic non-monetary benefits and injunctive
21 relief; granted final approval, objectors appealed);

22 ccc. *Griffey v. TA Operating, LLC*, Case No. CIVDS1907259
23 (San Bernardino County Superior Court) (PAGA settlement
24 \$390,000; final approval granted);

25 ddd. *D'Angelo Santana v. Rady Children's Hospital*, Case No.
26 37-2014-00022411-CU-MT-CTL (San Diego County Superior
27 Court) (Confidentiality of Medical Information Act, Cal. Civ.
28 Code § 56, *et seq.* class settlement; final approval granted);

1 eee. *Chavis v. Three Group, Inc.*, Case No. 18STCV08737
2 (Los Angeles County Superior Court) (wage and hour PAGA
3 settlement on behalf of dancers alleging contractor
4 misclassification; final approval granted);
5 fff.*Fabricant v. AmeriSave Mortgage Corporation*, Case No. 2:19-
6 cv-04659-AB-AS (C.D. Cal.) (\$6.25 million common fund
7 TCPA class action settlement, final approval granted);
8 ggg. *Nizam v Phiadon International USA, Inc.*, Case No.
9 CGC-20-582322 (San Francisco Superior Court) (wage and
10 hour misclassification class action settlement, preliminary
11 approval granted);
12 hhh. *Western Dental Wage and Hour Cases*, JCCP No. 5079
13 (County of Sacramento) (consolidated JCCP wage and hour
14 class action settlement, LOTMF acted as lead liaison counsel
15 on behalf of dental employees, final approval granted);
16 iii.*Barron v Paragon Building Maintenance, Inc.*, Case No.
17 BC713754 (Los Angeles Superior Court) (wage and hour class
18 action settlement on behalf of janitorial employees, final
19 approval granted);
20 jjj.*Randolph v. Amazon.com LLC et. al*, Case No. 37-2017-
21 00011078-CU-OE-CTL (San Diego County Superior Court)
22 (wage and hour class action settlement on behalf of delivery
23 drivers, final approval granted);
24 kkk. *Barnett v Trigram Education Partners, LLC*, Case No.
25 ESX-L-006106-20 (N.J. Superior Court county of Essex) (wage
26 and hour class action settlement on behalf of university
27 employees, preliminary approval pending);
28 lll.*Dilworth v Hong Holdings, LLC* Case No. 19STCV24101 (Los
 Angeles Superior Court) (consolidated wage and hour class

1 action settlement on behalf of gas station employees, final
2 approval granted);

3 mmm. *Winters v Two Towns Ciderhouse, Inc.* Case No. 20-cv-
4 00468-BAS-BGS (S.D. Cal.) (nationwide false advertising
5 class action settlement on behalf of consumers who purchased
6 mislabeled products, final approval granted);

7 nnn. *Mansour v. Bumble, Inc.*, Case No. RIC1810011
8 (Riverside Superior Court) (Largest Unruh Act class settlement
9 in the history of statute, \$70M in classwide benefits on behalf
10 of 2 million consumers; final approval granted);

11 ooo. *Caldera v. American Medical Collection Association*,
12 (C.D. Cal.) Case No. 2:16-cv-00381-CBM-AJW (TCPA class
13 action certified by contested motion, settled on classwide basis
14 out of bankruptcy proceeding, final approval granted);

15 ppp. *Hale v. Mana Pro Products, LLC*, Case No. 2:18-cv-
16 00209-KJM-DB (E.D. Cal.) (false advertising class action, final
17 approval granted);

18 qq. *Martinez v Mattucini Plumbing, Inc.*, Case No.
19 18TRCV00133 (Los Angeles Superior Court) (wage and hour
20 class action settlement on behalf of plumbers, final approval
21 granted);

22 rrr. *El Nasleh v. California Spaghetti Restaurants, Inc.*, Case No.
23 CIVDS1812587 (San Bernardino County Superior Court)
24 (consolidated wage and hour class action settlement on behalf
25 of restaurant employees settled for \$1.5M, preliminary approval
26 pending);

27 sss. *Vaccaro v Super Care, Inc.*, Case No. 20STCV03833
28 (Los Angeles Superior Court) (CIPA class action settlement on
behalf of over 50,000 consumers, final approval granted);

1 ttt. *Vaccaro v Delta Drugs II, Inc.*, Case No. 20STCV28871 (Los
2 Angeles Superior Court) (CIPA class action settlement on
3 behalf of consumers, preliminary approval granted);

4 uuu. *Marko, et al. v. Doordash, Inc.*, Case No. BC659841
5 (Los Angeles County Superior Court) (First-filed and co-lead
6 counsel in consolidated gig economy misclassification class
7 action on behalf of delivery drivers, secured \$100 million
8 common fund settlement, largest gig economy class settlement
9 to date; final approval granted);

10 vvv. *Aleksanian, et al. v. Enrich Financial, Inc.*, Case No.
11 BC698829 (Los Angeles County Superior Court) (certified
12 class by contested motion under Credit Repair Organization
13 Act, California Credit Services Act and Federal Credit Repair
14 Organization Act, preliminary approval pending);

15 www. *Shankula v Ticketsale.com LLC*, Case No.
16 2022LA000282 (Dupage County Illinois) (nationwide class
17 action settlement on behalf of ticket purchasers affected by
18 COVID postponements and cancellations, final approval
19 granted);

20 xxx. *Furman v Set and Services Resources, LLC*, Case No.
21 20CI000012 (Tehama County Superior Court) (wage and hour
22 class action, final approval granted);

23 yyy. *Furman v ONP Snow Mountain LLC*, Case No.
24 21CI000138 (Tehama County Superior Court) (wage and hour
25 class action, final approval granted);

26 zzz. *Lopez v Motel 6 Operating, L.P.*, Case No. 56-2020-
27 00542312-CU-OE-VTA (Ventura County) (wage and hour
28 class action on behalf of hotel workers, final approval granted);

aaaa. *Fabricant v Top Flight Financial, Inc.* Case No. 20STCV13837 (Los Angeles) (CIPA class action on behalf of recorded consumers, final approval granted);

bbbb. *Wolf v The Oaks Hotel Paso Robles, Inc.*, Case No. 19CVP-0080 (San Luis Obispo County Superior Court) (wage and hour class action on behalf of non exempt hotel employees, final approval pending);

cccc. *Walsh v. B.P. Products North America, Inc.*, Case No. MSC21-00119 (contra costa county) (gift card act class action, final approval granted);

dddd. *Toste v Path Ventures*, Case No. 19STCV45845 (Los Angeles Superior Court) (wage and hour class action on behalf of non-exempt homeless shelter employees, final approval granted);

eeee. *Almazan v Botanx LLC*, Case No. 30-2020-01122459-CU-OE-CXC (Orange County Superior Court) (wage and hour class action on behalf of non-exempt homeless shelter employees, preliminary approval pending);

ffff. *Maynor v Western Refining Retail, LLC*, Case No. CIVSB2209052 (San Bernardino Superior Court) (wage and hour class action on behalf of gas station employees, final approval granted);

gggg. *Azzam v U.S. Telepacific Corp.*, Case No. 20STCV13325 (Los Angeles Superior Court) (PAGA case on behalf of nonexempt employees, approval granted);

hhhh. *Hernandez v Bamboo Couriers, Inc.* Case No. 30-2021-01192697-CU-OE-CXC Orange County Superior Court (wage and hour class action on behalf of delivery drivers for Amazon contractor, preliminary approval pending);

1 iii. *Carter v. Osmose Utilities Services, Inc.*, Case No.
2 CIVSB2131260 (San Bernardino Superior Court) (wage and
3 hour class action on behalf of telecommunications workers,
4 final approval granted);

5 jjjj. *Zuniga v. House Foods America Corporation*, Case No.
6 8:22-cv-00372-CJC-JDEx (PAGA and FCRA class action for
7 backgrounds checks, preliminary approval pending);

8 kkkk. *S.C. v. Buddi US LLC, et. al.*, Case No. 8:20-cv-01370-
9 CJC-KES (CIPA and Wiretap Act Class action for ankle
10 bracelet monitoring on behalf of migrant class members,
11 preliminary approval pending).

12 12. In addition to the present case, my firm also certified the following
13 cases as class actions by contested motion and was appointed class counsel. I wrote
14 the certification briefs for the majority of these cases:

15 a. *Anne Wolf v. Hewlett Packard Company*, Case No. 5:15-cv-01221-
16 TJH-GJS (C.D. Cal.) (class action certified by contested motion on
17 behalf of tens of thousands of class members who purchased printer
18 that was falsely advertised to include Smart Install feature);

19 b. *Caldera v. American Medical Collection Association*, Case No.
20 2:16-cv-00381-CBM-AJW (C.D. Cal.) (TCPA class action
21 certified by contested motion);

22 c. *Alfred Zaklit, et al. v. Nationstar Mortgage LLC*, Case No. 5:15-cv-
23 02190-CAS-KK (C.D. Cal.) Cal. Penal Code § 632.7 class action
24 certified under Rule 23(b)(2) and (b)(3) on behalf of class members
25 whose calls were recorded without knowledge or consent);

26 d. *D'Angelo Santana v. Rady Children's Hospital*, Case No. 37-2014-
27 00022411-CU-MT-CTL (San Diego County Superior Court)
28 (Confidentiality of Medical Information Act, Cal. Civ. Code § 56,

et seq.);

- e. *Edward Makaron v. Enagic USA, Inc.*, Case No. 2:15-cv-05145-DDP-E (C.D. Cal.) (TCPA class action certified on behalf of approximately 2,000,000 class members under Rule 23(b)(2) and 23(b)(3));
- f. *Rodriguez v. Experian Information Solutions, Inc., et al.*, Case No. 2:15-cv-01224-RAJ (W.D. Wash.) (FCRA class action for improper credit pulls; certified under Rule 23);
- g. *Sheena Raffin v. Mediacredit, Inc., et al.*, Case No. 2:15-cv-04912-MWF-PJW (C.D. Cal.) (Cal. Penal Code § 632.7 class action certified by Hon. George H. King Ret. under Rule 23(b)(2) and (b)(3) on behalf of class members whose calls were recorded without knowledge or consent);
- h. *Stemple v. QC Financial Services Group of California, Inc.*, Case No. 3:12-cv-01997-CAB-WVG (S.D. Cal.) (certified class achieved by motion, and subsequent class-wide settlement);
- i. *Abdeljalil v. General Electric Capital Corporation*, Case No. 12-CV-02078-IEG-RBB (S.D. Cal.) (certified class achieved by motion, and subsequent class-wide settlement);
- j. *Aleksanian, et al. v. Enrich Financial, Inc.*, Case No. BC698829 (Los Angeles County Superior Court) (certified class under Credit Repair Organization Act, California Credit Services Act and Federal Credit Repair Organization Act);
- k. *McCurley v Royal Seas Cruises, Inc.*, Case No. 17-cv-986 BAS (AGS) (one of, if not the first TCPA class actions certified by contested motion on a contested manufactured consent theory, certified on behalf of over 2 million consumers).

II. Overview of Law Offices of Todd M. Friedman, P.C.'s
Efforts in this Action

A. CONTINGENT NATURE OF ACTION

18. Plaintiff filed the initial class action complaint (“Complaint”) on October 4, 2022. In the Complaint, Plaintiff alleged causes of action for violations of the TCPA. Plaintiff has filed an amended complaint since that time. Based on those allegations, Plaintiff sought \$500 per violation and \$1,500 per intentional violation, as well as injunctive relief. Plaintiff’s claims were brought on behalf of a class of individuals who allegedly received automated solicitation phone calls and texts to their mobile phones from Defendant without prior express consent and/or an established business.

19. On February 22, 2023, Defendant filed a combined Motion to Compel Arbitration, or in the alternative Partial Motion to Dismiss, Dkt. No. 20, which Plaintiff opposed on March 2, 2023. *See* Pl.’s Opp. To Def.’s Mot. to Compel Arbitration, Dkt. No. 25. After full briefing and a hearing on the matter, this Court denied Defendant’s Motion. Order Den. Def.’s Mot. to Compel Arbitration, Dkt. No. 35. Defendant separately filed a motion to Dismiss Plaintiff’s Amended Complaint on March 17, 2023. Dkt. No. 30. Plaintiff opposed this motion on March 30, 2023. *See* Pl.’s Opp to Def.’s Mot. to Dismiss, Dkt. No. 33.

20. My office engaged in early informal discovery with Defendant and obtained records relating to all merits, certification and damages issues that were necessary to evaluate risk and valuation of the claims at issue in my opinion. This included the outbound dial list which was obtained through a subpoena to third-party Happy Cabbage Analytics, Inc., documents and information relating to the system used to place calls, financial records, Defendant’s ability to fund a Settlement Fund, identities of Class Members, and information regarding the individuals who opted out from receiving

1 telemarketing communications from Defendant.

2 21. We then mediated on April 12, 2023 with the Honorable Judge Suzanne
3 Segal, Ret., with my partner Adrian Bacon participating for the class. We
4 prepared a mediation brief, extensively reviewing the law and the facts, as
5 yielded by evidence to date.

6 22. Defendant strongly contested the legal issues in this matter, taking colorable
7 positions any one of which could have resulted in a defeat of the action.
8 Defendant contended that the system used to send text messages was not an
9 ATDS under the TCPA. Defendant also argued that it had reasonable
10 policies and procedures in place concerning its internal do not call list
11 practices, which would preclude liability on that claim.

12 23. Defendant also contested class certification on numerous grounds, primarily
13 upon the assertion that there were individualized issues of consent that would
14 require individualized proof.

15 24. My office vigorously prosecuted these claims through mediation, despite
16 Defendant's defenses, and with Judge Segal's guidance, a Settlement
17 Agreement was ultimately agreed upon in principle by the Parties at
18 mediation, after a mediator's proposal was issued.

19 25. Thereafter, we presented the settlement to the Court for approval. The
20 settlement was approved by the Court, and my office has overseen the
21 administration process since that time.

22 26. Throughout this action, hundreds of emails have been exchanged between
23 myself, my partner, our staff, defense counsel, class members and the
24 administrator. We have also spent over 172 hours working on various
25 matters described herein. Most of that time was spent by myself and Mr.
26 Bacon, because of the importance of the tasks.

27 27. Including our pre-filing investigation, this action required the Law Offices of
28

Todd M. Friedman, P.C. to spend nearly a year, to date, on this litigation that could have been spent on other matters, and we will continue to oversee this litigation for the next year while settlement and approval are finalized, until all funds are distributed to Class Members. At various times during the litigation of this class action, this lawsuit has consumed my time as well as my firm's resources. Hundreds of emails have been exchanged during that time between members of my firm, counsel for Defendant, the claims administrator, class members, Plaintiff, our experts, and others. My firm has not been paid anything for our work on this case since it was filed and we have spent over \$9,155.50 in hard costs prosecuting this action on behalf of Plaintiff and the proposed class. I run a relatively small law firm, so an expenditure of this nature, in a hotly contested case, was a risk that we took for the sake of standing up for the Class. It is my opinion that law firms in such a position expect to receive a multiplier in cases such as these because of the risk taken, the extent to which firms are unable to take on other cases, the delay in getting paid and the costs we have to advance.

B. LAW OFFICES OF TODD M. FRIEDMAN, P.C.'S LODESTAR

28. Law Offices of Todd M. Friedman, P.C. has maintained contemporaneous time records since the commencement of this action. To date, I have incurred over 172 hours of work for this case, with a total lodestar of \$104,090.00. My billing rate is \$900 per hour in this case, the billing rate for Adrian R. Bacon is \$750 per hour, the billing rate of junior associates is \$400 per hour, and the billing rate for law clerks and paralegals is \$225 per hour.

C. LAW OFFICES OF TODD M. FRIEDMAN, P.C.'S COSTS

29. My firm has incurred litigation costs in this matter in the amount of \$9,155.50, for which my firm is seeking reimbursement. These costs are comprised of costs for filing and serving the complaint and other documents, transmitting copies of ECF filings to the Honorable Court, payment of

mediation fees to Siganture, and parking and mileage expenses. The breakdown of costs is as follows:

Initial filing fee	\$402.00
Courtsey copy of Plaintiff's opposition to motion to compel arbitration	\$46.33
Parking and milage for motion to compel arbitration hearing	\$82.05
Parking for preliminary and final approval hearings	\$30.00
Service of subpoena	\$80.00
Mediation fees	\$8,450
Coutesy copy of Plaintff' preliminary approval papers	\$65.12
TOTAL:	\$9,155.50

30. Should my firm incur costs through final approval of this action, Plaintiff will seek reimbursement of such costs, up to a total of \$10,000, as set forth in the Settlement Agreement. At this time, unless depositions of potential objectors need to be taken , I have no reason to believe that my firm's costs will exceed \$10,000 by the conclusion of the case.

D. REASONABLENESS OF HOURLY RATES

31. Law Offices of Todd M. Friedman, P.C.'s hourly rates are reasonable in respect to the ranges charged by comparable law firms in the State of California.² My billing rate is \$900 per hour in this case, the billing rate for Adrian R. Bacon is \$750 per hour, junior associates is \$400 per hour, the law clerks and paralegals is \$225 per hour. These same rates were approved by Judge Hogue—over objections—in our recent *DoorDash* final settlement approval with a 4x multiplier.

² See Laffey Matrix attached hereto as Exhibit A.

1 32. Regarding my rate, I have been practicing law since 2001, and am the
2 managing partner of one of the most active consumer protection law firms in
3 California. I have been counsel of record on hundreds of class action
4 lawsuits, dozens of which have resolved on a class-wide basis. My firm has
5 been counsel on cases totaling over \$300 million in class-wide relief for
6 consumers.

7 33. Based on the Laffey Matrix, our hourly rates fall within the scope of
8 reasonable fees.

9 34. Adrian Bacon is a partner at the Law Offices of Todd M. Friedman, P.C., and
10 is the lead litigation attorney at the firm. He has practiced almost exclusively
11 as a plaintiffs' class action attorney for the duration of his career as a litigator,
12 which has included both wage and hour and consumer class actions. Mr.
13 Bacon oversees all the firm's class actions and acts in either a lead or co-lead
14 role in nearly all of them.

15 35. Mr. Bacon has been licensed to practice since 2011 and has worked as a
16 plaintiffs' side class action litigation attorney for the duration of his career.
17 Prior to receiving his law license, he worked for the Federal Trade
18 Commission, and was involved in several "sweeps" including one dubbed
19 Operation Shortchange, where the FTC shut down a series of scammers who
20 were taking advantage of consumers during the financial downturn and
21 achieved a multi-nine figure judgment against them which made headlines.
22 He also worked on and participated in a federal raid, referred to as an
23 "Immediate Access" and thereafter a receivership against a scam boiler room
24 posing as part of the Obamacare plan by selling fake medical discount cards
25 to vulnerable sick people during the last economic downturn. The company
26 was bilking people out of their last savings by selling them substitutes for
27 medical insurance through bogus discount cards that were not recognized or
28 accepted anywhere that they were advertised. Mr. Bacon was part of the team

1 that shut down their operations in Tempe Arizona along with a team of agents
2 and federal marshals.

3 36.Once he was licensed to practice, he began by working at Strange &
4 Carpenter as an associate on consumer protection class actions, including
5 heading up the document production team on the Toyota Unintended
6 Acceleration Litigation. While there, he drafted and worked on several
7 published opinions, including a Ninth Circuit decision *Corvello v. Wells*
8 *Fargo* and the now heavily-cited opinion *Nguyen v. Barnes & Noble* denying
9 a motion to compel arbitration, which was upheld by the Ninth Circuit.

10 37.Mr. Bacon left the firm and went to work at Marlin & Saltzman in their
11 Orange County office under Louis M. Marlin, a highly decorated retired class
12 action attorney, and now respected mediator. Marlin & Saltzman is a class
13 action litigation firm that specializes in wage and hour class actions. Mr.
14 Bacon worked there for two years and was appointed class counsel on several
15 wage and hour class actions. He was instrumental in favorably settling one
16 such class action against Ikea for more than twice what the company came to
17 mediation willing to pay, which is cited below.

18 38.In 2014 he lateralled over to my firm, where he have served as the head of
19 litigation at my office for the past seven years. He was made a partner in
20 2018 after having certified and settled numerous class actions for clients of
21 our firm and helped revamp our litigation department. Almost every single
22 one of the class actions that our firm has settled, certified or otherwise
23 litigated in earnest on behalf of our clients out of our California office have
24 been cases that he has overseen with me.

25 39.Mr. Bacon has been the chief brief writer for and argued multiple class action
26 cases before the Ninth Circuit, Eleventh Circuit, Second Circuit, and
27 California Supreme Court, including *Gallion v United States*, 772 Fed.Appx.
28 604 (9th Cir. July 8, 2019), *McCurley v. Royal Seas Cruises, Inc.*, 2022 WL

1 1012471 (9th Cir. Apr. 5, 2022), *Smith v. Loanme*, 11 Cal. 5th 183 (2021),
2 *Guzman v. Polaris Industries Inc.*, 49 F.4th 1308 (9th Cir. 2022), *Guzman v.*
3 *Polars Industries Inc.*, 2022 WL 4547785 (9th Cir. Sept. 29, 2022), *Oyhayem*
4 *v. Fraser Financial and Insurance Services, Inc.*, 7 F.4th 1232 (9th Cir.
5 2021), *Monzon v. Atlantic Credit & Finance, Inc.*, 2021 WL 3909709 (Cal.
6 Ct. App. Sept. 1, 2021), *Solman v. Subway Franchisee Advertising Fund*
7 *Trust, Ltd.*, 999 F.3d 828 (2d Cir. 2021), and *Hagey v. Solar Service Experts,*
8 *LLC*, 2023 WL 5602365 (Cal. Ct. App. Aug. 30, 2023). Mr. Bacon has
9 assisted in briefing on two United States Supreme Court cases and has been
10 the primary author of Amicus briefs to the United States Supreme Court, as
11 well as multiple comments to federal regulators including the FCC for
12 advancement of consumer privacy rights..

13 40. In addition to my firm's experience, Mr. Bacon has separately been approved
14 as class counsel at his prior firm on several wage and hour class action
15 matters, including the following:

- 16 a. *Miller v. Ikea California, LLC*, Case No.: 30-2009 00331682
17 (Orange County Superior Court) (\$5.75M class settlement granted
18 final approval);
19 b. *David Paiva, et al v. Denny Corporation et al.*, Case No. 37-2010-
20 00103831-CU-OE-CTL (San Diego County Superior Court)
21 (granted final approval); and
22 c. *Juan Martinez, et al v. Valley Pride, Inc. et al.*, Case No. M108688
23 (Monterey County Superior Court) (granted final approval).

24 41. Andrew Brashler was a junior associate at the Law Offices of Todd M.
25 Friedman, P.C. Mr. Brashler has been licensed to practice law since 2020,
26 and his hourly rate of \$400 is justified under the Laffey Matrix.

27 42. With regard to a bare bones loadstar amount, our current billing records
28 reflect approximately 172 hours of time. This loadstar amount includes an

extremely conservative estimate of the hours we expect to work on this case through final judgment. We anticipate that we will work more hours than estimated. Based on these rates, and the accompanying time entries for each corresponding individual, the loadstar estimate for this Case is \$104,090.

43. Here is a breakdown and summary of the fees incurred by Plaintiff's counsel in connection with this Case:

Name	Hours	Hourly Rate	Total
Todd Friedman (Senior Partner)	36.9	\$900/hr	\$33,210.00
Adrian Bacon (Partner)	75.5	\$750/hr	\$56,625.00
Andrew Brashler (Junior Associate)	3.8	\$400/hr	\$1,520.00
Matthew Snyder (Law Clerk)	52.1	\$225/hr	\$11,722.50
Erika Company (Office Manager)	1.4	\$225/hr	\$315.00
Lauren Walker (Paralegal)	2.2	\$225/hr	\$495.00
Karla Uribe (Paralegal)	0.9	\$225/hr	\$202.50
GRAND TOTAL:			\$104,090.00

44. My firm maintained contemporaneous records of our time, and upon request from the Court, I will be prepared to submit detailed itemized time records of the tasks completed by various members of my firm, and the amount of time for each task and days each task was completed.

45. Based on the foregoing, I submit that our request for an award of 25% of the Common Fund is reasonable. This represents a negative multiple of 0.96x on my office's Lodestar.

46. I also would submit that Mr. Serrano should be awarded an incentive award of \$10,000 for his efforts in assisting with this litigation. Mr. Serrano was

1 instrumental in bringing this case, having provided my office with the
2 information and documents necessary to successfully litigate this class action
3 for 1,772 class members, participating in settlement discussions and
4 informal discovery, providing three declarations to the Court in support of
5 approval and communicating promptly with my office in order to see this
6 litigation successfully moved towards a favorable class-wide result. For
7 these reasons, I believe the requested incentive award is reasonable and
8 deserved.

9
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11
12 I declare under penalty of perjury under the laws of California and the United
13 States of America that the foregoing is true and correct, and that this
14 declaration was executed on September 20, 2023.

15 By: /s/ Todd M. Friedman
16 Todd M. Friedman, Esq.
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THE LAW OFFICES OF TODD M. FRIEDMAN, PC
WOODLAND HILLS, CA 91367

EXHIBIT A

LAFFEY MATRIX

[History](#)
[Case Law](#)
[See the Matrix](#)
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			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/23- 5/31/24	1.059295	\$239	\$437	\$538	\$777	\$878	\$1057
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375

6/1/94-5/31/95

1.0237

\$82

\$151

\$185

\$267

\$301

\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., DL v. District of Columbia, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $\frac{1}{2}$ Years Out of Law School $\frac{1}{2}$ is calculated from June 1 of each year, when most law students graduate. $\frac{1}{2}$ 1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $\frac{1}{2}$ 4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $\frac{1}{2}$ 1-3" from June 1, 1996 until May 31, 1999, would move into tier $\frac{1}{2}$ 4-7" on June 1, 1999, and tier $\frac{1}{2}$ 8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

CERTIFICATE OF SERVICE

Filed electronically on this 20th day of September, 2023, with:

United States District Court CM/ECF system

Notification sent electronically on this 20th day of September, 2023, to:

Honorable Judge Stanley Blumenfeld Jr.

United States District Court
Central District of California

And all counsel of record as recorded on the ECF page.

s/Todd M. Friedman

Todd M. Friedman, Esq.